

REMARKS

Status of the Claims

By way of the above amendments, claims 36, 39, 56, 66, 74, 75, 79, 81, and 83 are hereby amended. As such, claims 36, 39-45, 56, and 59-84 are presently pending. Entry of this amendment is respectfully requested. No new matter is introduced by this amendment. A current claim listing is presented above with status identifiers for each claim, in accordance with 37 C.F.R. §1.121(c).

Claim Objections

The Examiner pointed out to the informality of the recitation of the gene symbol TRIP at the first instance in claim 39. Correction has been duly made as suggested by the Examiner.

Rejections under 35 USC §112, first paragraph - New Matter

The Examiner rejected claims 79-84 under 35 USC §112, first paragraph, as containing new matter. Due to a typographical error, claims 79-84 recited coronary stenosis. Applicants apologize for the oversight. Claims 79-84 are hereby amended to recite Rheumatoid Arthritis (RA) instead, thus obviating the rejections.

Rejections under 35 USC §112, first paragraph - Written Description

The Examiner rejected claims 74 and 75 under 35 USC §112, first paragraph, as failing to comply with the written description requirement. In making this rejection, the Examiner stated that even though the specification as originally filed provided the term “hCV163035”, it was not clear as to the particular sequence context of the required nucleotide content for the recited SNP. See OA at Page 4.

Applicants would like to point out that Table 2 of the specification provides the genomic context sequence for the hCV163035 SNP, which is provided in SEQ ID NO: 5502, and the identity of the SNP, which designated by the letter “R” at position 101 of SEQ ID NO: 5502.

It is well known in the relevant art that the symbol “R” as a SNP refers to an A/G variation. The annotation of SEQ ID NO: 5502 in Table 2 also indicates as such in the Population Allele Counts for the SNP. In order to expedite the prosecution of the instant

application, claims 74 and 75 have been amended to recite the detection of the particular nucleotide content at SNP hCV163035, as suggested by the Examiner. Accordingly, it is respectfully requested that the rejections under 35 USC §112, first paragraph, written description, be reconsidered and withdrawn.

Rejections under 35 USC §112, first paragraph - Scope of Enablement

The Examiner rejected claims 36, 39-45, 56, and 59-84 under 35 USC §112, first paragraph, because the specification, while being enabling for certain subject matter, allegedly does not enable any person skilled in the art to make and use the invention commensurate in scope with these claims. The Examiner interpreted the claims as not requiring the detection of particular nucleotide content at the SNP, and provided exemplary amendments that would be deemed enabling. See OA at pages 5-6.

To expedite the prosecution of the instant application, claims 36, 56, 66, 74 and 75 have been amended to specifically recite the detection of the nucleotide content of the SNP. Accordingly, it is respectfully requested that the rejections under 35 USC §112, first paragraph, scope of enablement, be reconsidered and withdrawn.

CONCLUSIONS

In conclusion, in light of the amendments and remarks above, Applicants submit that the present application is fully in condition for allowance.

The Examiner is invited to contact the undersigned via telephone if a phone interview would expedite the prosecution of the instant patent application.

Respectfully submitted,

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